

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CATHERINE MAYER,

Plaintiff,

-against-

TIME, INC.,

Defendant.

Docket No. 17 cv 05613 (DLC)

**DECLARATION OF DANIEL GOMEZ-  
SANCHEZ**

I, Daniel Gomez-Sanchez, hereby declare under penalty of perjury pursuant to 28 U.S.C. Section 1746 that the following is true and correct:

1. I am an attorney with the law firm of Littler Mendelson, P.C., attorneys for Defendant Time Inc. (incorrectly sued herein as “Time, Inc.”) in the above-captioned matter.

2. I submit this Declaration in support of Time Inc.’s motion to dismiss Plaintiff’s Complaint. I base this declaration on my personal knowledge, a review of my firm’s files in this matter, a review of Plaintiff’s Complaint, a review of the Charge of Discrimination filed by Plaintiff in the United States Equal Employment Opportunity Commission, and a review of publicly available documents.

**Correspondence Issued By Plaintiff’s Attorneys To Time Inc.**

3. Plaintiff’s attorney, Ann Olivarius of the law firm McAllister Olivarius, corresponded with Time Inc. and its attorneys from in or around March 31, 2015 through the present. While Ann Olivarius has not filed a notice of appearance in this matter, she executed a copy of the Complaint and indicated that her admission to the Southern District of New York is pending. See Compl.

4. A majority of the correspondence is protected from disclosure pursuant to Rule 408 of the Federal Rules of Evidence. Accordingly, those statements made by Ann Olivarius that bear on settlement discussions are not reproduced here. If the Court requests, Defendant will make the correspondence available for *in camera* review.

5. By letter, dated March 31, 2015, Plaintiff's attorney, Ann Olivarius, sent correspondence to Time Inc. in New York concerning the termination of Plaintiff's employment in London, United Kingdom.

6. By letter, dated June 8, 2015, Ann Olivarius advised Time Inc.'s attorneys that Plaintiff "engaged [her law firm] solely to pursue her claims in the U.S."

7. By letter, dated August 28, 2015, Ann Olivarius informed Time Inc. that she secured "approximately 30 witness statements . . . and the number is growing."

**Material Witnesses Are Located Outside Of The United States of America**

8. Based upon a review of available records and social media profiles, and upon information and belief, a majority of the witnesses Plaintiff identifies in her Complaint, and/or secured approximately 30 witness statements from, reside and/or are located in the United Kingdom and other jurisdictions outside the United States.

9. In order to properly defend Time Inc. in the United States District Court, Southern District of New York, we will need to depose and/or otherwise seek discovery from individuals that worked with Plaintiff in the United Kingdom, the individuals Plaintiff identifies in her Complaint, and those individuals from whom she secured 30 witness statements (which individuals presumably worked with Plaintiff in the U.K.).

10. In the charge of discrimination filed by Plaintiff with the United States Equal Employment Opportunity Commission, Plaintiff identified the following

individuals as having provided witness statements in support of her claims: Karen Leigh, Sophie Walker, Peter Gumbel and Simon Robinson.

11. In her Complaint, Plaintiff identifies the following individuals as having information relevant to Plaintiff's claims: William Lee Adams (e.g. Compl. ¶ 39), Sally Baxter (e.g. Compl. ¶ 41-43, 47), Andy Bush (e.g. Compl. ¶ 63), Anoosh Chakelian (e.g. Compl. ¶ 92), Matt McAllester (e.g. Compl. ¶ 32, 34, 38), Kharunya Paramaguru (e.g. Compl. ¶ 27), Reena Sharma (e.g. Compl. ¶ 78), Amy Threlfall (e.g. Compl. ¶ 87-89), Conal Urquhart (e.g. Compl. ¶ 91), Bobby Ghosh (e.g. Compl. ¶ 32, 57-58, 60-61), Mike Taylor (e.g. Compl. ¶ 88-89), and Simon Shuster (e.g. Compl. ¶ 70).

12. In addition, Time Inc. would seek to rely on the testimony of Sue Brader and Lesley Swarbrick, who both work and/or worked in the United Kingdom, to properly defend Time Inc. See Declaration of Michael Taylor ¶¶ 16-17, dated November 2, 2017, and submitted with Defendant Time Inc. motion to dismiss.

13. Upon information and belief, Karen Leigh, Deputy Bureau Chief for Middle East/North Africa for the Wall Street Journal, resides and/or is located in the Middle East or North Africa. See Karen Leigh's publicly available Twitter Profile, annexed hereto as Exhibit A.

14. Upon information and belief, Sophie Walker, Leader of the Women's Equality Party in the United Kingdom, resides in the United Kingdom. See Sophie Walker's publicly available LinkedIn Profile, annexed hereto as Exhibit B.

15. Upon information and belief, Peter Gumbel resides in France. See Peter Gumbel's publicly available LinkedIn Profile, annexed hereto as Exhibit C.

16. Upon information and belief, Simon Robinson resides in the United Kingdom. See Simon Robinson's publicly available LinkedIn Profile, annexed hereto as Exhibit D.

17. Upon information and belief, William Lee Adams resides in the United Kingdom. See William Lee Adam's publicly available LinkedIn Profile, annexed hereto as Exhibit E.

18. Upon information and belief, Sally Baxter, Founder and Director at Pegasus Partnership, resides in the United Kingdom. See Sally Baxter's publicly available LinkedIn Profile, annexed hereto as Exhibit F.

19. Upon information and belief, Anoosh Chakelian resides in the United Kingdom. See Anoosh Chakelian's publicly available LinkedIn Profile, annexed hereto as Exhibit G.

20. Upon information and belief, Matthew McAllester resides in the United Kingdom. See Matthew McAllester's publicly available LinkedIn Profile, annexed hereto as Exhibit H.

21. Upon information and belief, Kharunya Paramaguru resides in the United Kingdom. See Kharunya Paramaguru's publicly available LinkedIn Profile, annexed hereto as Exhibit I.

22. Upon information and belief, Reena Sharma resides in the United Kingdom. See Reena Sharma's publicly available LinkedIn Profile, annexed hereto as Exhibit J.

23. Upon information and belief, Amy Threlfall resides in the United Kingdom. See Amy Threlfall's publicly available LinkedIn Profile, annexed hereto as Exhibit K.

24. Upon information and belief, Bobby Ghosh resides in India. See Bobby Ghosh's publicly available LinkedIn Profile, annexed hereto as Exhibit L.

25. Upon information and belief, Conal Urquhart resides in the United Kingdom. See Conal Urquhart's publicly available Twitter Profile, annexed hereto as Exhibit M.

26. Michael Taylor works in the United Kingdom. See Declaration of Michael Taylor ¶ 1, dated November 2, 2017, accompanying Defendant's motion to dismiss.

27. Simon Shuster works in Germany. See Declaration of Michael Taylor ¶ 17, dated November 2, 2017, accompanying Defendant's motion to dismiss.

28. Upon information and belief, Sue Brader resides in the United Kingdom. See Sue Brader's publicly available LinkedIn Profile, annexed hereto as Exhibit N.

**Time Inc. Consents To Service Of Process In The United Kingdom**

29. As counsel for Time Inc., we consent to accept service of process in the United Kingdom.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 3, 2017  
Melville, New York

/s/ Daniel Gomez-Sanchez  
Daniel Gomez-Sanchez